

The Barber County Index.

ESTABLISHED IN 1880.

DEVOTED TO THE UPBUILDING OF THE CITY AND COUNTY.

TERMS: \$1 A YEAR.

VOL. XXII.

MEDICINE LODGE, KANSAS, APRIL 29, 1903.

NO. 49.

Baer Fined \$100.00

Frank Baer was fined \$71.00 and costs by Justice Collins last Friday, amounting in all to \$100. Baer was charged with assault with intent to kill, but Judge Collins did not think the evidence was sufficient to hold him on such a severe charge and accordingly dismissed the case, but ordered him arrested on a charge of assault and battery. Mr. Baer, through his attorneys, agreed to plead guilty to this offense provided the court would be lenient in his sentence. Judge Collins fined him \$100 and sentenced him to 25 days in the county jail. This was not satisfactory to the defense and they gave notice of an appeal, but later at the request of L. T. Walker, father of the prosecuting witness, the jail sentence was withdrawn and Mr. Baer was permitted to settle by paying \$100.

County Attorney Tinscher prosecuted. The defendant's attorney, J. C. Ellis of Pratt, did not get here in time to take charge of the case and G. M. Martin was employed. Mr. Baer was discharged from the greater offense when Judge Ellis arrived.

Mr. Baer's offense was that of horse-whipping Irvin Walker and afterwards shooting. The trouble arose over a mule belonging to Baer that had been bothering Walker's crops. A tin can was tied to the mule's tail to run him off of the Walker premises and this enraged Baer. He admitted striking the boy with a whip but denied shooting at him. He said he shot in the air for the purpose of scaring him.

He paid dearly for his fun and would have been dealt with more severely but for the fact that his wife is very poorly and needs his assistance.

A Creditable Paper.

The first number of the Sharon Advocate found its way to our exchange table on Saturday. It is a five column folio, neat in appearance and alive with local news. The publisher, W. H. Watkins, formerly station agent at Sharon, is a hustler and evidently knows how to get up a readable paper. The Advocate starts out with a large advertising patronage, the little village of Sharon advertising more than the merchants of Medicine Lodge.

The Advocate will not take any side politically. Personally the publisher is a republican but he will not seek to edify the public.

Mr. Watkins does a real estate business in connection with publishing the Advocate.

Here's our glad greeting, Bro. Watkins.

Will Lease Tax Lands.

The county commissioners will meet in special session on Saturday of this week to lease all tracts of land and town lots held under tax sale of three years and over.

The legislature enacted a law two years ago empowering counties to do this but this is the first time it has been attempted. The law empowers the commissioners to lease these lands until all taxes have been paid by virtue of such lease. If the owner desires to redeem the land in the meantime he must pay the taxes in full and the amount due the lessee.

There is considerable land of this kind in the county. The owners can hardly afford to let it go by default considering the demand there is at the present time for both farming and grazing land. It will be a money saver for them to redeem before the board enters into lease.

The official notice was first published last week and appears again this week.

A Suit for Commission.

Last Thursday S. S. Brown sued A. A. Marchel for \$125 commission for selling Mr. Marchel's farm in Mingona township. Mr. Brown claims a contract which entitles him to that amount. The case was called by Justice Collins on Monday when the defendant demurred to plaintiff's petition. The demurrer was overruled and at request of defendant case continued until Thursday (tomorrow) at 9 o'clock.

Seward L. Field is the plaintiff's attorney. Samuel Griffin represents the defendant.

A Test Case.

In order to determine how far a county officer may go in withholding official printing from the county printer, U. C. Heft last week brought suit against the county for withholding the treasurer's quarterly financial statement and the commissioners annual financial statement from publication, as provided for under the county printer law. The printer made several demands for this matter and it was refused because the officers did not believe they are compelled to furnish it. The suit is brought principally for the purpose of determining the question so that in the future the official paper may know what to expect under its contract, which makes it a friendly suit. The commissioners were consulted before the action was commenced and they agreed that the question should be settled in the interest of all parties concerned.

The printer, of course, believes he is entitled to this amount inasmuch as he was legislated out of office one year before his term expired, but if he is not he desires to know it.

The objection to paying it in its present form is, of course, that the work was not performed. The other phase of it is that the printer entered into a bond to perform it and incurred all the necessary expense to carry out his part of the contract and in justice, if not in law, the county should deal in the same good faith. In other words the moral obligation is as binding the same as in a contract between private parties.

We are frank to say in this connection that the suit would not have been brought if we had been permitted to hold the office during the entire term for which we were elected, although it will be a great deal of satisfaction to know what abuses the official printer must or must not suffer.

Granted a Pension.

Mrs. M. J. Higgins received the gratifying news on Saturday that her pension claim had been allowed. She will receive eight dollars per month with back pay from the date of her claim which was filed, November 17, 1898, making a total of \$428.45 to quarter ending May 4, 1903.

This claim had laid dormant until a little over a year ago. It was filed, as above stated, November 17, 1898, but laid in abeyance until March 1902, when it was placed in the hands of Capt. J. L. Brady who makes a specialty of pushing pension claims and who has great success in practicing before the interior department.

Capt. Brady worked on the case under many difficulties and it was necessary to induce a special examiner to come and inquire into the case. The papers in the case were varied and voluminous, although up to the time Capt. Brady took hold of it only one paper—the claim itself—had been filed.

The Index congratulates Mrs. Higgins and her attorney on the result.

Wanted to See the City.

Dr. G. W. Ayer, of Medicine Lodge, was in this city one day last week on his way home from Dodge City, where he attended the congressional convention as a delegate from Barber county. While in Dodge City he was the guest of his son, George E. Ayer, division superintendent of the western division of the Santa Fe, and had, as he expressed it, "a right good time." Dr. Ayer was full of reminiscences about western Kansas and entertained the Herald editor for more than an hour in telling about when he came to Kansas and his connection with railroad building and the part he played in starting the thriving city of Nickerson, and the work he did to help make Hutchinson. While here he met many old friends and acquaintances.—Hutchinson Herald.

Livery Barn Sold.

Last Wednesday E. P. Moomau purchased Cainie Farmer's livery business and effects. Mr. Farmer is undecided as to his future location. The new management solicits your patronage and will give you first-class service.

LOCAL AND PERSONAL.

Next week will be the last week of school for the term.

Miss Edna Kauffman is visiting friends at Alva.

Parties desiring sweet potato plants can get them of W. T. Wheat.

Dr. C. L. Sparks resident dentist. Office over Citizens State Bank.

The city council will parcel out public patronage next Monday night.

Seed Potatoes at Fair's, Early Ohio and Early Rose. Genuine stock.

Hon. H. C. Walker is attending federal court as a witness at Wichita this week.

I have a good work horse for sale, young and will be a large horse.—C. N. Marshal.

FOR RENT—A house in good repair on Second Avenue West. Inquire of Mrs. M. E. Updegraff.

The Young Drug Company are fitting up the interior of the building vacated by Glasier & Co. preparatory to occupying it.

It has been threatening rain during the past week but aside from a few small local showers, it has not materialized. Wheat is suffering very much in some localities.

Conductor J. H. Knight and wife left last week for a pleasure trip to California. Mr. Knight will be home the latter part of this week but Mrs. Knight will make an extended visit of it.

We have both two and three wheel Jno. Deere Listers which we guarantee to do the work easier, last longer and give better general satisfaction than any lister made. Hall Hwd. Co.

The Rathbone Sisters will give a May party May 1, 1903, at the opera house. There will be a May Pole dance given by 24 boys and girls. Come and walk for a cake. Ice cream will be served.

Jim Bell chaperoned a merry party of fishermen to Elm Mills early Sunday morning, returning home at dusk. The best story they can tell is that they got all they could eat for dinner. They wink when they tell it, too.

Mrs. M. A. Morgan and Mrs. Phoebe Davis of Tecumseh, Ok., arrived Friday to visit with Mr. and Mrs. F. R. Hayes. Mrs. Morgan is Mrs. Hayes' mother and Mrs. Davis is her aunt. They expect to return home next week.

F. F. Parsons, an architect of Wichita, was in the city on Saturday. He came at the request of C. Q. Chandler who has under advisement enlarging and remodeling his residence property, though no conclusion has yet been made.

DIED—Mrs. May Byers, of Sharon township, died on Thursday, April 23, 1903, at the age of 51 years. She was in bad health for more than a year. The deceased was a widow. Funeral services were held on Friday and the remains laid to rest in the Sharon cemetery.

Noble & Tinscher filed two divorce suits on Saturday. The suits are brought by daughters of the same family. The titles of the cases are Myrtle Christian vs. Edward T. Christian, and Minnie Southwick vs. Oliver M. Southwick. Abandonment is alleged in both cases. The plaintiffs are daughters of Mr. and Mrs. J. S. Brewer, residing about eight miles southeast of this city. The defendants have left the country. Each has a child for which they ask custody, and they also ask for restoration of maiden name.

The Medicine Lodge Telephone Company last week put in a cable containing 100 wires, from the central office to the postoffice corner. This covers the heaviest part of the line and will make the entire system much better. They also put in a lot of new and better batteries. The company has lost no faith in the automatic system and they say it will soon be perfect, as new improvements are being constantly added. There are now seventy five subscribers in the city. A new directory will soon be printed.

W. S. Kirtley, the Coats liveryman, was in the city on Monday.

J. S. Runyan and wife returned from their visit in Missouri last Friday night.

The W. C. T. U. will meet with Mrs. J. H. Johnson, next Saturday at 3 o'clock.—Secretary.

Harry Newkirk last week purchased Jas. Smythe's barber outfit. Roy Briant is still retained on the first chair.

Wm. Garland and wife were up from Kiowa last Friday. Mr. Garland was here on business and Mrs. Garland was the guest of Mrs. H. H. Case.

The May-pole march and Cake walk to be given at the opera house Friday night under the auspices of the Rathbone Sisters will be interesting. Don't miss it.

Uncle Billie Brown, of Enon, Sharon township is enjoying a visit at his old home near Ellijay, Georgia. He started last week and will be gone a month or more.

Mrs. Reutlinger left last week for a visit to her old home in England. She is accompanied by her sister, Miss Betts, who has been visiting with her for some time.

F. E. Crane, of Ottawa, was in the city Monday. He is largely interested in real estate in the northwest part of the county. He droyed down to take the train east.

James Hellings was down from Coats a few days last week doing duty in the Citizens State Bank during the absence of both C. Q. Chandler and J. S. Runyan. He went to Wichita on business Friday and returned to Coats Saturday.

Fred Hardy and wife have another fine boy, born Wednesday evening, the 15th; and Fred has let loose that attractive laugh of his so often since the above date that he is being accused of absent-mindedness and solely occupied by his own importance. He couldn't even yell much at the ball game Thursday.—Alva Pioneer.

Elias Pelton visited us last Thursday. He says our Sharon correspondent did him a great injustice in associating his name with the Advocate force as he had no intention of accepting a position in that office. He wrote a warm reply for this week's Index but it was either stolen or lost. Elias has our apology and the Advocate our congratulations.

County Treasurer Rule gives the Sharon Advocate a great send-off over his own "list." Among other things, he predicts that it will be the best paper published in Barber county. Now that is what we call Simon-pure ingratitude. The Index has no claims on Mr. Rule's affections and our feelings are not at all ruffled by reason of the "shot." But there is another which weareth the g. o. p. brand and useth the machine countersign which did turn green with envy when his optics beheld the "greeting" of Brutus Ebenezer.

Attend the May Party at the opera house on Friday night.

Geo. F. Guthrie and wife returned from their visit in Illinois on Monday.

District Court will convene Monday, May 11th—one week from next Monday.

The Willing Workers will meet with Mrs. Youmans, Wednesday afternoon, May 6th.

Dick Laury is preparing to build a substantial house on his newly purchased farm near Sugar lake.

Cane seed for sale at 30 cents per bushel. F. C. Colborn, 9 miles southeast of Medicine Lodge.

Senator Long and his secretary, R. Faxon, departed last Wednesday to be in line to join the presidential party when it lit on the Kansas line.

G. M. Martin recently purchased a fine shorthorn bull from G. W. Degeer. G. M. hasn't a very large herd, but those that he has are fine ones.

The new pews for the Christian church will not be here for ten days or two weeks and consequently the dedication services had to be postponed until the latter part of May.

Fred Cartan's condition is very much better than it was a week ago and the physicians say he has passed the danger point. He will probably have to remain in the hospital at Wichita a month before he will be able to return home.

The interior of Ed. Youmans' store was re-papered and otherwise beautified the first of the week. The entire credit for the improvement belongs to Gene. He says things must be in style wherever he stays. There's nothing slow about Gene.

Geo. L. Graves was up from the Crownpoint ranch last Wednesday. He called at the Index office and supplied himself with up-to-date stationery and advertising matter. Mr. Graves has good stock and isn't afraid to invest a few dollars for the purpose of letting the public know it.

Dance at Sharon.

There will be a big dance in the M. W. A. Hall at Sharon on Friday night, May 1st. It promises to be a very enjoyable social event and probably the last to be given this season in that city. Everybody is invited to attend it.

Commencement May 8th.

The commencement exercises of the city high school will be held at the opera house on Friday night, May 8th, one week from Friday of this week. There are two who have completed the course and will graduate, Chester Martin and Frank Williams. Each of them will deliver an oration.

The balance of the program has not yet been arranged.

Closing Out Sale!

On account of poor health and the necessity of taking a course of treatment, I will close out my entire stock at greatly reduced prices. During the next two weeks I will sell goods at the following prices:

First grade Flour per sack.....90c
Colorado Potatoes, per bu.85c
Shorts and Bran 85c and 80c per 100 lb.
Corn, per bushel.....45
Kaffir corn and cane, per bu.35c

Will sell everything in stock at reduced prices, including Groceries, tinware, Glass and Queensware, Stoves and other miscellaneous merchandise.

W. H. McColl.
North Room Cook Block.